

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1-11 have been rejected.

Claims 1-10 have been amended. No new matter has been added by way of the amendment.

Claim 11 has been cancelled.

Claims 1-10 are currently pending.

II. Rejections under 35 U.S.C. § 112

Claim 11 has been rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter. Applicants have cancelled claim 11 rendering the rejection moot and respectfully request that the rejection be withdrawn.

III. Rejections under 35 U.S.C. § 102

Claims 1, 2 and 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,673,835 to Kalat. The Examiner contends that Kalat discloses all of the features of the claimed invention. Claims 1, 3, 9 and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent D472,414S to Gilbert. The Examiner contends that Gilbert discloses all of the features of the claimed invention. Claims 1, 4-6, 8 and 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,464,160 to Weyel. The Examiner contends that Weyel discloses all of the features of the claimed invention. Claims 1, 6, 8 and 9 are rejected under 35 U.S.C. § 102(b)

as being anticipated by U.S. Patent No. 4,262,439 to Dinan et al. ("Dinan"). The Examiner contends that Dinan discloses all of the features of the claimed invention. Applicants respectfully traverse the rejection

Amended claim 1 is for "an apparatus including a hanger and a fabric article comprising... a shaft... and an article rolled around the shaft to form a cylinder," thus the article has been positively recited. The apparatus, including both the hanger and the fabric article, is disclosed throughout the Specification and in Figs. 3b, 4c, 5c, 6 and 7.

In contrast, none of the prior art references teach or suggest wrapping an article around the shaft of a hanger. Thus, neither Kalal, Gilbert, Weyel nor Dinan anticipate claim 1 which discloses an apparatus including both a hanger and an article wrapped around the shaft of the hanger. Claims 2-6 and 8-10 depend from claim 1 and are allowable for at least the same reasons as claim 1. Applicants respectfully request that the rejection be withdrawn.

V. Rejections under 35 U.S.C. § 103

Claims 7 is rejected as being unpatentable over Dinan in view of the Examiner's knowledge of ordinary skill in the art. The Examiner states that Dinan discloses all of the features of the claimed invention but admits that Dinan does not disclose a header element having a trapezoidal cross section. The Examiner contends that Dinan discloses that the header can have different configurations and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the header element with a trapezoidal cross section.

Claim 7 depends from claim 1 and should be allowable for at least the same reasons as claim 1. Thus, the claimed apparatus including both hanger and fabric article is neither disclosed nor

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suggested by Kalat, Gilbert, Weyel or Dinan. Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

In view of the above remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved by either a Supplemental Response or a Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted

By

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